

**STAMFORD PLANNING BOARD
REGULAR MEETING - 4TH FLOOR CAFETERIA
DRAFT MINUTES - TUESDAY, JANUARY 5, 2016
GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT**

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Claire Fishman, Jennifer Godzeno, Roger Quick, Jay Teppar and Michael Totilo (arrived at 6:36p). Absent: William Levin. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner and Anthony Romano, OPM.

Ms. Dell, Chair called the meeting to order at 6:30 p.m., and introduced the members of the Board and announced that William Levin was going to be absent. Ms. Dell apologized for the misbehavior of one Board of Representative member in the appointment process and welcomed Jennifer Godzeno to the Board. She also thanked Roger Quick for his service and for agreeing to serve as an alternate member. Ms. Dell introduced the first item, asking for a motion to move "New Business" as the first agenda item. Motion made by Ms. Fishman; seconded by Mr. Teppar and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Teppar and Totilo).

NEW BUSINESS:

Election of Officers: Dr. Woods recommended adding the position of Vice Chair to act in concert with the Chair. Candidates whom indicated they would like to serve are: Theresa Dell, Chair; Jay Teppar, Vice Chair; and Claire Fishman, Secretary. After a brief discussion, Mr. Teppar moved to re-elect Theresa Dell as Chair; Ms. Fishman seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Teppar and Totilo).

Ms. Fishman moved to elect Jay Teppar as Vice Chair; seconded by Mr. Teppar and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Teppar and Totilo).

Mr. Teppar moved to elect Clair Fishman as Secretary, seconded by Mr. Totilo and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Teppar and Totilo).

SUPPLEMENTAL CAPITAL APPROPRIATIONS:

**OPERATION ADMINISTRATION MAINTENANCE-ENVIRONMENTAL HAZARD
ABATEMENT - PROJECT #CP9230:**

This is a request for a capital appropriation for emergency asbestos removal at the current Police Headquarters on Bedford Street. Complaints were issued to the City via employees in the Youth Bureau division regarding concerns of the presence of mold. After multiple air samplings were performed by Fuss & O'Neill, elevated concentrations of mold were found in the Youth Bureau office space. The mold identified was concluded to be the result of water leaks in the crawlspace below the Youth Bureau. As a result, Fuss & O'Neill provided recommendations to the City of Stamford to remediate the issues. These recommendations included: The abatement of 10,000 square feet of the chaise area, sealing of all penetrations to the first floor (already completed), and thereafter repair of the water leak(s)/plumbing that exist. The estimated cost for this project is \$100,000.00. Sgt. Kennedy, Supervisor of the Youth Bureau made a short presentation to the Board. After a brief discussion, Mr. Totilo made a motion to approve this supplemental capital funding request for public health and safety reasons; Mr. Teppar seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Teppar and Totilo).

ZONING BOARD OF APPEALS REFERRALS:

1. **ZBA APPLICATION #002-16 - 1620 NEWFIELD AVENUE - Variance of Section 6D-Maximum Building Height and Table III, Appendix B:** Applicant wants to construct an accessory building to be used as a tennis facility. The variance is requested in order to allow the applicant to construct the building at a height of 45 ft. in lieu of 15 ft. required.

Michael Cacase, Attorney, of Cacase Tusch Santagata, made a brief presentation explaining the variance and Special Exception requested. After a brief discussion, Ms. Fishman made a motion to recommend approval of *ZBA Application #002-16*; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

2. **ZBA APPLICATION #003-16 - 106 CARTER DRIVE** - Applicant wants to restore a sea cottage built in 1900 which was damaged in Hurricane Sandy. Applicant would like to raise it above the base flood elevation and make it compliant with local and FEMA Regulations. Doing so requires the cottage be moved 3 ft. to the north, but will not be enlarged. As a result of these requirements, variances of the rear and side yard setbacks are required as well as a variance of the height and continued use of the accessory structure. **Applicant is requesting variances of the following sections of the Stamford Zoning Regulations:**

- a. Section 4.AA.2 and Table II, Appendix B: to permit the cottage to be 4.5 ft. from the side yard setback in lieu of the 10 ft. required (same as existing);
- b. Section 4.AA.2 and Table III, Appendix B: to permit the cottage (structure) to be 26 ft. from the rear yard setback in lieu of the 30 ft. required;
- c. Section 4.AA.2 and Table III, Appendix B: To permit the existing rear deck and stairs to be 20 ft. from the rear yard setback in lieu of the 30 ft. required (same as existing);
- d. Section 6D (Accessory Buildings) and Section 10 (Non-Conforming Uses): To permit an existing two-story legal, non-confirming accessory structure (presently 18'10" high) housing a two-story dwelling unit to be raised up above the base flood elevation to a height of 27 ft. 9 in. in lieu of the 15 ft. permitted;
- e. Section 6A (Accessory Buildings): To permit the continued existence of a legal, non-confirming accessory structure in a rear yard which is less than 5 ft. from the side lot line; and
- f. Section 6A (Accessory Buildings): To permit the continued existence of a legal, non-confirming accessory structure in a side yard which is less than 10 ft. from the side lot line.

Jacqueline Q. Kaufman, of Carmody Torrance Sandak & Hennessey, LLP, made a brief presentation regarding the variances requested. After a brief discussion, Mr. Tepper made a motion to recommend approval of *ZBA Application #003-16*; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

3. **ZBA APPLICATION #004-16 - 179 PALMER AVENUE - Variance of Section 2(A) and Section 7(I):** Applicant would like to prevent the merger of a non-confirming lot under single ownership thereby leaving a single building lot in the R-6 Zone.

Joseph Capalbo II made a brief presentation outlining the requested variance. After a brief discussion, Mr. Totilo made a motion to recommend approval of *ZBA Application #004-14*; Ms. Godzeno seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

4. **ZBA APPLICATION #059-15 - 724 PACIFIC STREET & 5 WOODLAND PLACE - Variance of Table III Appendix B (Schedule of Requirements for area, height and bulk of buildings):** Applicant is requesting the following two changes; (1) Building Area - 30% allowed; 44.49% existing; 39.92% proposed; and (2) Front Yard (Side Street) - 15 ft. allowed; 8.8 ft. existing; 8.8 ft. proposed. Dr. Woods briefly reviewed this application with the Board. After a brief discussion, focusing on the issue of parking, Ms. Fishman made a motion to recommend approval of *ZBA Application #059-15*; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

DISCUSSION:

Capital Budget FY 2015/2016

PLANNING BOARD MEETING MINUTES:

Meeting of 12/15/15: After a brief discussion, Ms. Fishman moved to recommend approval of the Planning Board Minutes of December 15, 2015; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

OLD BUSINESS:

SUBDIVISION APPLICATION #3942 - 22 ISLAND HEIGHTS DRIVE: Previous land-owners, who had initiated the subdivision, no longer own said property and agree to forfeit the subdivision if their request of the immediate release of the performance bond is granted. After a brief discussion, Mr. Tepper made a motion to table this item until the January 19th meeting; Mr. Totilo seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Fishman, Godzeno, Tepper and Totilo).

Next regularly scheduled Planning Board meetings are:

1/12/16 - Cancelled

1/19/16

1/26/16

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:25 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

NOTE: These proceedings were recorded on video and audio tape and are available for review in the Land Use Bureau located on the 7th Floor of the Government Center, 888 Washington Boulevard, during regular business hours.